

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Monday, July 1, 2013 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Mike Bachand, David Hersrud, Marcia Johnston, Ronald Waterland, Jason Anderson, and Branden Bestgen. Also present City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Kelly Vasknetz and Tim Potts.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve the agenda.

Announcements:

- City Council will meet July 1, 15 and 29, 2013
- Mayor Carstensen thanked everyone for their hard work in making the Camero Rally and the Tatanka Run such a success.
- Mayor Carstensen reminded the citizens that fireworks are legal from 6:00 a.m. July 3, 2013 through midnight July 4, 2013.

Informational Reports:

Tom Ferguson, Sturgis Liquor Store Manager gave an update on happenings at the Sturgis Liquor:

- Because of the Lazelle Street construction sales have been down from last year.
- The store is getting ready for the motorcycle rally.

Greg Barnier, City Attorney gave an update on his department:

- The annual audit is almost completed and essentially it was the same as last year.
- Two areas that he has been working on: Contracts/Agreement and reviewing ordinances

City Manager Ainslie reported:

Sales tax update for the end of June 2013-General Sales Tax and Capital Improvement were up 25% and the Gross Receipts Tax (triple B) was up 6%. Year to date totals for General Sales Tax and Capital Improvement are up 10.4% with the Gross Receipts Tax (triple B) is down 2.5%.

Since the Alcoholic Beverage License application encompasses the total 37 acres of city park land, it has been decided to change the location of the Sturgis Liquor Annex to the site across the street from Tom's T's. This area is fully paved and served though an existing left turn lane. The annex will be open from 11 am-8 pm August 1 through 10th. These hours are subject to change depending on the amount of business this location receives.

Motion by Hersrud, second by Bestgen and carried with all members present voting yes to approve the consent calendar.

Motion by Johnston, second by Bachand and carried with Anderson, Bachand, Bestgen, Carstensen, Johnston and Waterland voting yes, Hersrud abstaining, to approve the following claims:

Wages – Ambulance \$23,197.47; Attorney \$2884.62; Auditorium \$339.60; Buildings \$800.00; Cemetery \$3698.99; City Manager \$4219.74; Community Center \$8923.00; Finance Office \$8561.13; Fire Department \$1693.93; Human Resource \$2171.81; Library \$8919.63; Liquor \$4296.60; Mayor and Council \$3333.27; Parks \$16,680.29; Planning & Permitting \$3768.81; Police \$31,869.01; Rally \$4547.72; Recreation \$2460.51; Sanitary Service \$10,551.65; Streets

\$9657.57; Wastewater \$5753.25; Water \$14,690.00; Federal Withholding \$15,676.07; FICA \$12,630.69.

Combined Cash Fund – First Interstate Bank, \$2000.00, ATM cash.

General – 196th Regiment, \$3000.00, other; 3D Specialties, \$3141.00, supp; A&B Business, \$399.96, supp; Laurie Adkins, \$60.00, prof fee; Amazon, \$87.47, supp; Amcon, \$572.65, merch for resale; American Legal Service, \$57.92, prof fee; AT&T Mobility, \$2003.52, util; Elton Barden, \$280.00, prof fee; Barney's Signs, \$1350.00, supp; Greg Barnier, \$189.84, travel; Bavarian Inn, \$158.00, travel; Bryan Beaulieu, \$320.00, prof fee; Best Western Ramkota Inn, \$527.94, travel; BH Chemical, \$207.83, supp; BH Power, \$2944.77, util; BH Rally & Gold, \$300.00, merch for resale; Jerry Burnham, \$2490.92, prof fee; CBH Cooperative, \$172.81, repair; Chain Saw Center, \$297.48, repair; Community Center Petty Cash, \$6.15, supp; Dept of Veterans Affairs, \$336.75, supp; Double Star Computing, \$903.10, prof fee; Fedex, \$15.09, supp; Freeman Electric, \$153.18, supp; Grocery Mart, \$195.00, grp insur; Hills Products Group, \$205.93, supp; Hillyard, \$292.54, supp; J&L Services, \$700.00, repair; Jenner Equipment, \$10.81, repair; Ketel Thorstenson, \$13,811.05, prof fee; Knology, \$1761.41, util; Legends Sales & Marketing, \$5442.59, other-rally; Marls, \$130.00, prof fee; Meade Co Auditor, \$3045.80, util; Medtech Wristbands, \$279.25, supp; Michael Todd & Co, \$3949.24, repair; Mid-State Camper Sales, \$50.26, supp; Neopost USA, \$672.00, repair; Neve's Uniforms, \$1471.50, supp; Park Avenue Car Wash, \$139.60, supp; Pete Lien & Sons, \$1565.25, supp; Peterson Automotive, \$222.60, repair; Pitney Bowes, \$120.56, rent; Purchase Power, \$800.00, supp; Rapid City Journal, \$110.25, publ; Rushmore Office, \$7.18, supp; S&C Cleaning, \$3100.00, repair; Sand Creek Printing, \$230.25, supp; Schwans, \$19.46, merch for resale; SD Municipal Attorney Assn, \$15.00, travel; SD Municipal league, \$40.00, travel; SD Wildlife Federation, \$20.00, supp; Sinks N More, \$123.28, supp; Sturgis High School Rodeo, \$1000.00, accts payable; Sturgis Meat Service, \$21.45, grp insur; Sturgis Motorcycle Museum, \$600.00, supp; Sturgis Regional Hospital, \$409.00, prof fee; Theatrical Services, \$194.31, supp; Twilight First Aid, \$62.45, supp; Geody Vandewater, \$25.00, grp insur.

Special Sales Tax – Chamber of Commerce, \$8573.48, chamber; SEDC, \$7750.00, ind dev.

Capital Improvement – Jason Pickett, \$380.69, reimburse spec assessment; Professional Pavement Products, \$946.82, cap imp; Sacrison Paving, \$3286.23, cap imp.

Liquor – AT&T Mobility, \$49.16, util; BH Chemical, \$77.92, repair; Double Star Computing, \$34.37, prof fee; Knology, \$149.30, util; M&B Enterprises, \$233.70, snacks for resale; The Homeslice Group, \$5944.00, publ.

Water – AT&T Mobility, \$228.86, util; BH Power, \$10,177.47, util; Double Star Computing, \$357.37, prof fee; First Nat'l Bank Sioux Falls, \$15,325.46, prin,int; Grocery Mart, \$30.00, grp insur; Knology, \$93.33, util; SD Supplemental Retirement, \$12,847.55, salaries.

Wastewater – AT&T Mobility, \$132.39, util; BH Power, \$2053.46, util; CBH Cooperative, \$374.68, other; City of Belle Fourche, \$41.88, other; Cretex Concrete Products, \$124.00, repair; Double Star Computing, \$106.87, prof fee; Energy Lab, \$235.00, prof fee; First Nat'l Bank Sioux Falls, \$4977.41, prin,int; Light & Siren, \$215.60, repair; Rapid City Journal, \$226.80, publ; Sand Creek Printing, \$82.25, supp; Warne chemical, \$129.50, repair.

Sanitary Service – American Engineering Testing, \$3136.05, prof fee; AT&T Mobility, \$81.59, util; BH Power, \$236.74, util; Century Business Products, \$62.45, prof fee; Century Link, \$59.40, util; City of Belle Fourche, \$20,695.77, other; Double Star Computing, \$34.37, prof fee; John Flueckinger, \$500.00, grp insur; Grocery Mart, \$25.00, grp insur; Motion Industries, \$197.98, repair; Safety Vision, \$394.70, repair; Sand Creek Printing, \$82.25, supp.

Ambulance – BH Power, \$659.98, util; Caudill Leavitt Insurance, \$519.00, unemployment; Century Business Products, \$39.82, supp; Double Star Computing, \$124.37, prof fee; Grocery Mart, \$15.00, grp insur; Interstate All Batteries, \$17.90, supp; Knology, \$86.27, util; Richter's Tire, \$20.00, repair; Nicole Skouge, \$471.66, travel; Sturgis Meat Service, \$3.55, grp insur; UMBC, \$70.00, travel; Vidacare, \$952.43, supp.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve of a Retail Wine License and an On-Off Sale Malt Beverage License for Sheree Schriver – Jambonz Grill & Pub, 2214 Junction.

Motion by Bachand, second by Bestgen to deny the approval of a special events liquor license for the Knuckle Saloon at Lynn’s County Market, 1111 Lazelle from August 3-10, 2013 during the rally. Bachand, Bestgen and Johnston voting yes, Carstensen, Hersrud and Waterland voting nay with Anderson abstaining.

Several council persons expressed concern over the issue of allowing current alcohol license holders to have a special events license for a different location, that it could lead to more problems in future years. There was also concern for the current license holder that by allowing some of these special events licenses, it creates unfair competition.

One existing liquor license holder also spoke against allowing this special events license.

Some council persons would like to see it clearly stated what would be given back to the city charities by allowing a special events license.

Motion by Waterland, second by Hersrud and carried with Anderson, Carstensen, Hersrud, Johnston and Waterland voting yes, Bachand and Bestgen voting nay to table approval of a special events liquor license for the Knuckle Saloon at Lynn’s County Market, 1111 Lazelle from August 3-10, 2013 during the rally to the July 15th meeting.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to table approval of a special events malt beverage license for Buffalo Bill’s Corp at the Sturgis Motorcycle Museum parking lot, 981 Main St, on August 3-9, 2013 to the July 15th meeting.

Motion by Bestgen, second by Hersrud and carried with all members present voting yes to approve a variance request from Homeslice Management for a temp structure at 1305 Main.

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve the following payroll changes: Rally Dept – Temp Rally Help – Logan Brennick, Travis Biers, Nicolis Forbes, Dalton Gustafson, Terry Maxwell, Jackson Peterson, Cory Schnell - \$8.00. Planning & Inspections – Temp Rally Inspector – Sheila Aspen, Sue Regan - \$10.50; Brendon Hodge, Dayna Boesen, Brenda Fernen - \$10.00. Police Dept – Part-time Patrol Officer – Tyrone Dolvin, Darrel Hatzenbuhler - \$18.28. Community Center – Part-time Custodian – Patty Sanderson - \$7.25. Liquor Store – Sales Clerk – Rally: Levi Brownell, Tommy Cook, Priscilla “PT” Lewis - \$10.00; Tim McCann, Sue Smith – \$10.25; Tammy Bachand, Georgina Phillips, Doug Skye, Emily Bauer, Kristine Brandt - \$8.00 temp, \$10 rally; Mike Delancey - \$8.50 temp, \$10.50 rally; Rally Stocker/Parking Lot Attendant – Shyler Sutherland, Ari Rath, Melvin Marvin - \$8.00.

Motion by Bachand, second by Anderson and carried with all members present voting yes to approve the 2013 Rally Inspector’s Incentive Plan.

Motion by Waterland, second by Hersrud and carried with all members present voting yes to approve second reading of Ordinance 2013-09 Title 11 – Health & Sanitation – 11.05.31 Sewer Use Charges.

ORDINANCE 2013-09
AN ORDINANCE AMENDING TITLE 11– HEALTH AND SANITATION

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 11– Chapters 11.05.31 – Sewer Use Charges is amended to read as follows:

11.05.31: SEWER USE CHARGES

The sewer charge for any one residential unit shall be a flat rate of Twenty-three Dollars and sixty-nine cents (\$23.69) per month effective January 1, 2013.

If water service to a property is shut off, the monthly availability fee will still be charged to that account. That monthly fee will be \$18.00. This fee shall not be charged to accounts that used solely for irrigation purposes. The Council may adjust the fee by resolution. The Commercial availability fee shall be determined based on the water line size that feeds the property. The fee shall be as follows:

¾ inch to 1 inch	\$ 18.00
1 ¼ inch	\$ 36.00
1 ½ inch	\$ 54.00
2 inch	\$ 72.00
3 inch	\$108.00
4 inch	\$148.19

The sewer charge for commercial and institutional units shall be billed to the owner or operator of the commercial or institutional property at the following rates, based upon the size of domestic water lines effective January 1, 2013.

¾ inch to 1 inch	\$ 27.81
1 ¼ inch	\$ 55.62
1 ½ inch	\$ 83.43
2 inch	\$111.24
3 inch	\$166.86
4 inch	\$228.96

In addition to the rate shown above, each commercial or institutional account shall be assessed a usage fee based upon water usage. The account shall not be charged for the first 9,000 gallons used each month. A charge of \$0.50 per 1,000 gallons in excess of 9,000 gallons shall be assessed.

In addition to the required tap fees described in Section 11.05 within this chapter, a supplemental development sewer tap fee shall be required for all accounts established within the following described areas located within Section 22;

The NW ¼ of the NW ¼ NE ¼ of the NW ¼,

And SW ¼ of the NW ¼ in Section 22, TWP, Range 5 North, Twp 5 East Black Hills Meridian, in Meade County

The applicant for the building permit shall be responsible to pay an additional \$3,000 tap fee per sewer account. That Supplemental development sewer tap fee shall be paid to the City before the building permit may be issued by the Building Official.

Whenever the BOD concentration exceeds 200 mg/1 or the suspended solids concentration exceeds 250 mg/1 based on a twenty-four (24) hour, flow-proportioned composite sample the sewage use shall be increased according to the following schedule:

24/Hour Composite		Suspended		Surcharge
Concentration (mg/1)	Class	Solids Class	(1,000 gallons) BOD	Suspended Solids
0-200	I	A	0.000	0.000
200-250	II	B	0.004	0.000
250-300	III	C	0.008	0.004
300-350	IV	D	0.012	0.008
350-400	V	E	0.016	0.012
400-450	VI	F	0.020	0.016
450-500	VII	G	0.024	0.020
500-550	VIII	H	0.028	0.024
550-600	IX	I	0.032	0.028
600-650	X	J	0.036	0.032
650-700	XI	K	0.040	0.036
700-750	XII	L	0.044	0.040
750-800	XIII	M	0.048	0.044
800-850	XIV	N	0.052	0.048
850-900	XV	O	0.056	0.052
900-950	XVI	P	0.060	0.056
Greater than 950	XVII	Q	0.004 per each 50 Increment	

The institutional users shall include schools and City, County and State buildings. Sewage use charge shall be increased according to the schedule set forth herein, pursuant to EPA and DENR regulations.

Starting January 1, 2013, the Council will adjust the fee by resolution.

Dated this 1st day of July, 2013.

First reading: 06-03-13
 Second reading: 07-01-13
 Adopted: 07-01-13

Published: 07-10-13

Effective: 07-30-13

Bestgen introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-30
RESOLUTION AUTHORIZING CLOSURE OF CITY PARKS**

WHEREAS, the Sturgis Motorcycle Rally will be held in the City of Sturgis, South Dakota, in August 2013; and

WHEREAS, it appears necessary and in the best interests of public safety to provide limited access to the City Park;

NOW THEREFORE, BE IT RESOLVED that all City Parks shall remain open for day use only between the hours of 6 a.m. and 10 p.m. except that at the direction of the city park supervisor, the aforementioned park areas may be opened for Rally purposes at any other time, depending on schedules between July 31, 2013 and August 14, 2013 from 8 a.m. to 5 p.m.

Dated this 1st day of July, 2013

Published: 07-10-2013

Effective: 07-30-2013

Hersrud seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Johnston introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-31
RESOLUTION AUTHORIZING TEMPORARY PLACEMENT OF BANNERS
OVER THE PUBLIC RIGHT OF WAY**

WHEREAS, pursuant to Title 30, Sturgis City Council has the authority to approve banners over the public right of ways.

WHEREAS, the City of Sturgis has contracted with sponsors with regards to banners being placed during the 2013 Sturgis Motorcycle Rally.

NOW THEREFORE, BE IT RESOLVED, that banners may be displayed over the following public right of ways from July 29, 2013, to August 13, 2013.

Main Street between Junction and Middle Street
Main Street between Junction and First Street
Main Street between First and Second Street
Main Street between Second and Third
Main Street between Third and Fourth
Junction Avenue between Glover and Harmon Street
Junction Avenue between Sherman and Main Street
Junction Avenue between Main and Lazelle Street
Ballpark Road between Junction Avenue and the Railroad Track
Lazelle near McDonald's (City promotion only)

Lazelle near City Park (City promotion only)

Dated this 1st day of July, 2013.

Published: 07-10-2013

Effective: 07-30-2013

Waterland seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Motion by Bachand to deny Resolution 2013-32, second by Bestgen. Anderson, Bestgen, Carstensen, Hersrud, Johnston and Waterland voting nay, with Bachand voting yes.

Johnston introduced the following written resolution and moved its adoption:

**RESOLUTION 2013 -32
RESOLUTION TO AUTHORIZE CLOSURE OF KINSHIP STREET
FOR FREE ADMISSION ENTERTAINMENT AND EVENTS**

WHEREAS, the Sturgis Motorcycle Rally will be held in the City of Sturgis, August 5, 2013 through August 11, 2013; and

WHEREAS, Beginning on Saturday, August 3rd through Saturday, August 10th the City of Sturgis and Rally Sponsors have scheduled no-admission special events to be presented on the Kinship Street between Lazelle and the Community Center entrance, and

WHEREAS, the US Post Office facility in Sturgis can be entered from Third Street and Williams Street, and

WHEREAS, it is in the public interest to provide a safe venue for these no-admission special events to host the many tourists that are expected to attend.

NOW, THEREFORE, BE IT RESOLVED that to accommodate the safe presentation of these Special Events, Kinship Street from Lazelle Street up to the entrance to the Sturgis Post Office shall be closed between 6:00 am Saturday, August 3rd through 6:00 pm Saturday, August 10, 2013.

Dated this 1st day of June, 2013.

Published: 07-10-2013

Effective: 07-30-2013

Waterland seconded the motion for the adoption of the foregoing resolution with Carstensen, Johnston, Waterland, Hersrud, Anderson, and Bestgen voting yes, Bachand voting nay, and the resolution was declared passed and adopted.

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-33
RESOLUTION AUTHORIZING TEMPORARY STOP SIGNS AND
CONTROL DEVICES DURING STURGIS MOTORCYCLE RALLY**

WHEREAS, the City of Sturgis, Meade County, South Dakota, has jurisdiction to regulate and maintain their street system; and

WHEREAS, it appears necessary and in the best interest of public safety to establish temporary stop signs at the locations set forth herein.

NOW THEREFORE, BE IT RESOLVED that traffic control devices shall be placed at the following intersections between July 8, 2013 and August 11, 2013.

Nellie Street and Lazelle Street (Signal)
Middle Street and Lazelle Street (Signal)
1st Street and Lazelle Street (Signal)
3rd Street and Lazelle Street (Signal)
6th Street and Lazelle Street (Signal)
20th Street and Highway 14A (Stop Signs)
Junction Avenue and Sherman Street (Stop Signs)
Junction Avenue and Park Street (Stop Signs)
Moose Drive and Short Track Road (Stop Sign)
1st Street and Sherman Street (Stop Sign)

Dated this 1st day of June, 2013.

Published: 07-10-2013
Effective: 07-30-2013

Johnston seconded the motion for the adoption of the foregoing resolution with the addition of a two-way stop signs at the corner of Sherman and 1st Streets. All members present voting yes and the resolution was declared passed and adopted.

Bestgen introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-34
RESOLUTION AUTHORIZING CLOSURE OF STREETS
FOR ANNUAL STURGIS MOTORCYCLE RALLY**

WHEREAS, the Sturgis Motorcycle Rally will be held in the City of Sturgis, August 5, 2013 through August 11, 2013; and

WHEREAS, due to the great number of motorcyclists in Sturgis, South Dakota, during this time, it would be in the best interest for the City of Sturgis and its citizens that a portion of Main Street in the City of Sturgis be designated for motorcycle traffic only during this time and that parking restrictions be placed in effect adjacent to the Main Street area; and

WHEREAS, it is necessary for portions of Second Street, Third Street, and Fifth Streets be closed to normal automobile vehicle traffic for Rally displays and activities; and be designated for motorcycle traffic only during this time.

NOW, THEREFORE, BE IT RESOLVED: That **Main Street in the City of Sturgis, from its intersection with Middle Street to its intersection with Fourth Street**, shall be closed to all traffic with the exception of motorcycle traffic as specified in herein during a time period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary by the Chief of Police of the City of Sturgis and the City Council. The City Council of the City of Sturgis does hereby determine that it is necessary to close Main Street during the above time, in order to provide orderly traffic control and to ensure the safety of the citizens of the City of Sturgis and their guests. Only motorcycles, including two-

wheel and three-wheel motorcycles shall be allowed on Main Street during the above time period with the exception of maintenance vehicles, law enforcement vehicles, and fire protection vehicles. Bicycles, skateboards, scooters, roller blades, and other similar conveyances shall not be allowed to use that portion of Main Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades, and other similar conveyances present a safety hazard to pedestrians, motorcyclists, bicyclists and those riding skateboards, scooters, roller blades and other similar conveyances. A 14-foot fire lane for emergency vehicles shall be maintained throughout the closed area.

BE IT FURTHER RESOLVED that **First Street, between Sherman Street and Lazelle Street shall be restricted to through vehicle and motorcycle traffic. Parking will be restricted to motorcycle only on the east and west side of the street** during the time period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED a portion of **Second Street from Sherman Street to the alley will be open to vehicular traffic and motorcycle parking. From the alley north to Main Street will be closed** to all traffic with the exception of motorcycle only parking at **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013** Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Second Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard to pedestrians, motorcyclists, bicyclists and those riding skateboards, scooters, roller blades and other similar conveyances.

BE IT FURTHER RESOLVED a portion of **Second Street from Main Street to the alley and from the alley to Lazelle Street** shall be closed for exhibitor displays known as the **2nd Street Plaza** at **2 a.m. on Wednesday, July 31, 2013 to 2 a.m. on Sunday, August 11, 2013**. Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Second Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard to pedestrians, motorcyclists, bicyclists and those riding skateboards, scooters, roller blades and other similar conveyances.

BE IT FURTHER RESOLVED a portion of **Third Street from Sherman Street to the alley will be open to vehicular traffic and motorcycle parking. From the alley north to Main Street and from Main Street to Lazelle Street will be closed** to all traffic with the exception of motorcycle traffic from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, for motorcycle parking. Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Third Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard to pedestrians, motorcyclists, bicyclists and those riding skateboards, scooters, roller blades and other similar conveyances. A 14-foot fire lane for emergency vehicles shall be maintained throughout the closed area.

BE IT FURTHER RESOLVED that a portion of **Fourth Street from Main Street north to the alley will remain open to through traffic. Parking will be restricted to motorcycle only in this area** during the time period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary. Bicycles, skateboards, scooters, roller blades and other similar conveyances shall not be allowed to use that portion of Fourth Street described during the above time period, as the presence of bicycles, skateboards, scooters, roller blades and other similar conveyances present a safety hazard to pedestrians, motorcyclists, bicyclists and those riding skateboards, scooters, roller blades and other similar conveyances.

BE IT FURTHER RESOLVED that a portion of **Main Street, between Fourth Street and Seventh Street shall be restricted to through vehicle and motorcycle traffic and allowing motorcycle only parking on the north and south side of the street** during the time

period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED a portion of **Fifth Street from Lazelle Street to the Sturgis Community Center** is closed to normal traffic for rally display purposes for the time period from **2 a.m. on Monday, July 29, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary. That a 14-foot fire lane for emergency vehicles shall be maintained throughout the closed area.

BE IT FURTHER RESOLVED that **parking on the North side of Sherman Street from Junction Avenue to Third Street** be designated for **motorcycle parking only** during the time period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED that **parking on the North side of Sherman Street from Third Street to Fourth Street and a portion of Middle Street Sherman Street alley and Main Street** be designated for **public transit use only** during the time period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED that **parking on the South side of Sherman Street from First Street to Second Street** be designated for **motorcycle parking only** during the time period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED that **parking on the North side of Sherman Street a portion between First Street and Second Street (City Hall) and from Fourth Street to Fifth Street (Meade County Courthouse) and on the South side of Sherman Street from Third Street to Fourth Street (Meade County Offices)** be designated as **20 minute** parking during the time period from **2 a.m. on Friday, August 2, 2013 to 2 a.m. on Sunday, August 11, 2013**, and for such additional time if deemed necessary.

BE IT FURTHER RESOLVED that **four-wheel vehicular traffic shall be allowed through First Street and said alley between Main and Sherman Street from Middle Street through Fourth Street; and that the alley between Main Street and Lazelle Street, shall be open to four-wheel vehicular traffic from said Middle Street through Fourth Street.**

BE IT FURTHER RESOLVED that **while four-wheel vehicular traffic is allowed in the above said alleys, no parking is allowed in this area except for strict adherence to loading and unloading vehicles** as set forth in Ordinance 2001-24 Chapter 16.05.07 (12) of the Sturgis City Ordinances.

Dated this 1st day of July, 2013.

Published: 07-10-2013

Effective: 07-30-2013

Hersrud seconded the motion for the adoption of the foregoing resolution with Carstensen, Hersrud, Johnston, Waterland, Anderson and Bestgen voting yes, Bachand voting nay, and the resolution was declared passed and adopted.

Motion by Bestgen, second by Anderson and carried with all members present voting yes to approve adoption of the Risk Management Policy Statement.

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-35
TO APPROVE OR DENY A PUBLIC LOTTERY**

WHEREAS, the City of Sturgis has by Ordinances enacted by the City Council limited the use of public lotteries within the city to public purposes intended to provide for the benefit and safety of the members of the community, balanced with the purpose to encourage commerce and the development of a healthy and robust business and community atmosphere, and

WHEREAS, the St. Francis of Assisi Church has submitted an application to conduct a public raffle within the City of Sturgis beginning on September 23, 2013 and continuing until October 6, 2013 at which time the lottery prizes will be awarded by a drawing at 1:00 pm at the St. Francis of Assisi Church, Sturgis, on October 6, 2013, and

WHEREAS, the St. Francis of Assisi Church presented its application to conduct this lottery to the City Finance Office on June 24, 2013 and seeks to commence and seeks to begin to sell such raffle tickets on September 23, 2013, and

WHEREAS, the request of the St. Francis of Assisi Church to have approval to conduct this lottery has met all the requirements of City Ordinance, all the requirements of state law and has met all the administrative requirements of the City Finance Office in submitting its application,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Sturgis City Council that the application of the St. Francis of Assisi Church to conduct a public lottery/raffle in the City of Sturgis is hereby

 X Approved, with lottery ticket sales to be conducted at the stated times forth above and as stated in the terms of the lottery application, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are present.

 Denied, with no lottery sales to be permitted as requested, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are not present.

RESOLVED, this 1st day of July, 2013.

Published: 07-10-2013

Effective: 07-30-2013

Waterland seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Johnston introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-36
RESOLUTION APPROVING PLAT**

WHEREAS, the statues of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property:

A PLAT OF LOT 25 AND R.O.W. LOT 1 IN BLOCK 27 OF ASH'S EXTENSION AND R.O.W. LOTS 2 & 3 OF THE NE1/4SE1/4SW1/4. Formerly Lots 1-24 and the previously vacated alley in Block 27 of Ash's Extension and a portion of 8th Street, Adjacent to and in-between Block's 27 and 28 of Ash's Extension. All located in the NE1/4SE1/4SW1/4, Section 4, T.5N., R.5E., B.H.M., City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 1st day of July, 2013.

Anderson seconded the motion for the adoption of the foregoing resolution with Carstensen, Bachand, Johnston, Waterland, Anderson and Bestgen voting yes, Hersrud abstaining, and the resolution was declared passed and adopted.

Hersrud introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-37
RESOLUTION APPROVING PLAT**

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property:

A Plat of LOT 1 REVISED of the NE1/4 of Section 21, T5N, R5E, (Formerly Lot 1 of the NE1/4 of Section 21, T5N, R5E,). AND The 60' Wide Dedicated Public R.O.W. in the NE1/4 of Section 21 and the NW1/4 of Section 22, T5N, R5E, B.H.M., Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 1st day of July, 2013.

Bestgen seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Bachand introduced the following written resolution and moved its adoption:

**RESOLUTION 2013 - 38
A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN**

A CONTRACT WITH CORR CONSTRUCTION TO CONSTRUCT EMERGENCY REPAIRS ON THE 7TH STREET BEAR BUTTE CREEK CROSSING

WHEREAS, the City of Sturgis desires to expeditiously repair the 7th Street Bear Butte Creek Crossing in order to continue to restore regular traffic patterns in the community and to limit any further degradation in the crossing; and

WHEREAS, the traffic volume in the City of Sturgis continues to intensive throughout the summer and peaks during the annual Sturgis Motorcycle Rally; and

WHEREAS, in order to ensure the lowest potential loss of life and property in the event of an emergency the road network must be fully functional; and

WHEREAS, in order to reduce the likelihood of potential loss of life and property the City has expedited the repairs to the 7th Street Bear Butte Creek Crossing by soliciting competitive written bids from four contractors; and

WHEREAS, an agreement needs to be entered into between the parties whereby the Contractor will be able to immediately begin with repairs to the 7th Street Bear Butte Creek Crossing; and

WHEREAS, the City of Sturgis desires to enter into such agreement, a copy of which is attached hereto.

NOW THEREFORE, City Manager Daniel Ainslie is hereby authorized to execute said contract between Corr Construction and City of Sturgis for the repairs to the 7th Street Bear Butte Creek Crossing.

Dated this 1st day of July, 2013.

Published: 07-10-2013

Effective: 07-30-2013

Johnston seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

The following bids were received for an Electronic LED Sign for the Liquor Store: Barney's Signs - \$36,882; Rosenbaum's Signs & Outdoor Advertising - \$32,950.

Motion by Hersrud, second by Johnston and carried with all members present voting yes to approve low bid to Rosenbaum's Signs & Outdoor Advertising for an Electronic LED Sign for the Liquor Store.

Johnston introduced the following written resolution and moved its adoption:

**RESOLUTION 2013-39
TO APPROVE OR DENY A PUBLIC LOTTERY**

WHEREAS, the City of Sturgis has by Ordinances enacted by the City Council limited the use of public lotteries within the city to public purposes intended to provide for the benefit and safety of the members of the community, balanced with the purpose to encourage commerce and the development of a healthy and robust business and community atmosphere, and

WHEREAS, the Angel's Rest Animal Sanctuary has submitted an application to conduct a public raffle within the City of Sturgis beginning on August 1, 2013 and continuing until August 10, 2013 at which time the lottery prizes will be awarded by a drawing at 12:00 pm at New Richmond, OH on August 20, 2013, and

WHEREAS, the Angel's Rest Animal Sanctuary presented its application to conduct this lottery to the City Finance Office on June 27, 2013 and seeks to commence and seeks to begin to sell such raffle tickets on August 1, 2013, and

WHEREAS, the request of the Angel's Rest Animal Sanctuary to have approval to conduct this lottery has met all the requirements of City Ordinance, all the requirements of state law and has met all the administrative requirements of the City Finance Office in submitting its application,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Sturgis City Council that the application of the Angel's Rest Animal Sanctuary to conduct a public lottery/raffle in the City of Sturgis is hereby

 X Approved, with lottery ticket sales to be conducted at the stated times forth above and as stated in the terms of the lottery application, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are present.

 Denied, with no lottery sales to be permitted as requested, for the reason that the expected public benefits intended to be accomplished by the Lottery ordinance are not present.

RESOLVED, this 1st day of July, 2013.

Published: 07-10-2013

Effective: 07-30-2013

Waterland seconded the motion for the adoption of the foregoing resolution Carstensen, Hersrud, Johnston, Waterland, Anderson and Bestgen voting yes, Bachand voting nay, and the resolution was declared passed and adopted.

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve the Use of City Property for the BAM Festival in the city park on July 13, 2013 pending insurance coverage.

Motion by Bestgen, second by Johnston and carried with all members present voting yes to approve the Use of City Property for the Food Bank Fundraiser BBQ by Meade Co at the Erskine Building on July 19, 2013 pending insurance coverage.

Motion by Waterland, second by Anderson and carried with all members present voting yes to approve the Use of City Equipment by the City of Spearfish for the Taste of Autumn BBQ Championships to be held at Elk Horn Ridge RV Resort on September 20-21, 2013 pending additional insurance and damage deposit.

Any other business:

Roger Schieman complimented the City on the placement of the Porta Potties during the Camero Rally. He would like to see this practice continue for the Mustang Rally.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to go into executive session for personnel and contracts at 9:13 pm.

Motion by Johnston, second by Anderson and carried with all members present voting yes to return to regular session at 11:38 pm.

Motion by Bestgen, seconded by Bachand and carried with all members present voting yes to adjourn the meeting at 11:39 pm.

ATTEST: _____ APPROVED _____
Jeanie Shyne, Deputy Finance Officer Mark Carstensen, Mayor

Published once at the total approximate cost of \$